

# The Federal Storm Water Permit

## A Fact Sheet for New England Marinas

EPA New England

July 2004

### How to Determine if Your Marina Requires a Federal Storm Water Permit

Your facility requires a National Pollutant Discharge Elimination System (NPDES) Storm Water Multi-Sector General Permit (MSGP) if all of the following four conditions are met:

**1) Your facility is in one of the categories of facilities which require a MSGP. Standard Industrial Classification (SIC) 4493 (marinas) is one of the categories of facilities which requires a MSGP.**

SIC 4493 of Industry Group 449: Services Incidental to Water Transportation—applies to establishments, commonly known as marinas, engaged in operating docking and/or storage facilities for boat owners, with or without one or more related activities, such as retailing fuel and marine supplies; and repairing, maintaining, or renting boats. Facilities with this classification include:

- Marinas
- Boating clubs with marinas
- Sailing clubs with marinas
- Yacht clubs with marinas
- Boatyards that provide storage and incidental repair

note: Establishments primarily engaged in building or repairing boats and ships are classified in Manufacturing Group 373. The storm water discharge requirements for these types of facilities are not covered in this fact sheet (see 65 Fed. Reg. 64843)

**2) Your facility conducts vessel maintenance and/or equipment cleaning operations exposed to storm water. Vessel maintenance or cleaning equipment operations includes operations such as fueling; engine maintenance/repair; vessel**

**maintenance/repair; pressure washing; sanding; blasting; welding; metal fabrication; and liquid storage in tanks or other containers.**

**3) Storm water from your facility flows through a point source into a water of the US.**

A point source is any discernible, confined and discrete conveyance from which pollutants are or may be discharged directly into a United States water body. A point source includes but is not limited to any:

- |           |                    |             |
|-----------|--------------------|-------------|
| • pipe    | • discrete fissure | • well      |
| • tunnel  | • ditch            | • container |
| • conduit | • channel          | • swale     |

In addition, conveyances of storm water formed by erosion or other natural means fit the definition of a point source.

A ramp or railway at a marina is a point source under this regulation if the ramp or railway does or may convey pollutants associated with industrial activity from maintenance and or cleaning equipment operations directly into a United States water body.

**4) The storm water from the facility is discharged to a water of the U.S. such as a river, pond, ocean, lake, large or small stream, or wetland.**

If all of the above conditions apply, then the facility must apply for permit coverage. Facilities that have maintenance and/or equipment cleaning operations contained entirely indoors may not need a permit if they obtain a “no exposure certification” (see 40 C.F.R §122.26(g)).

For more information on how to apply for a storm water permit or no exposure certification call your contact on page 2.

## If Your Facility Requires a Federal Storm Water Permit

1. Prepare a storm water pollution prevention plan (SWPPP). As part of this plan, the facility is required to conduct storm water monitoring (see MSGP 4.1, 65 Fed. Reg 64812).
2. Submit a "Notice of Intent" (NOI) (attachment 1) to be covered under a MSGP. In some cases, it may be more appropriate for you to apply for an individual permit instead. You can call your above contact to determine which type of permit is most appropriate for your facility.
3. Implement your SWPPP.

State	Contact
ME, NH, MA	EPA New England Thelma Murphy 617-918-1615
CT	Chris Stone 860-424-3850
VT	Margaret Torizzo 802-241-3780
RI	Margarita Chatterton 401-222-4700 ext.7605

## What Should the SWPPP Address?

The SWPPP design and implementation should address three major objectives regarding storm water discharges associated with vessel maintenance and equipment cleaning operations.

- 1) Identify sources of pollution that could potentially affect storm water quality;
- 2) Ensure implementation of measures (best management practices) to minimize and control pollutants; and
- 3) Assure compliance with the terms and conditions of the permit.

See the SWPPP sample table of contents (Attachment 2) for examples of plan elements. Of course, each plan will vary in length and detail according to site specifics.

## Implementing Best Management Practices (BMPs)

- BMPs are generally simple to implement. The MSGP provides some examples. (See MSGP §4 and §6.Q.4.). You can obtain sample BMP's from many industry publications.
- The permit itself does not mandate any specific BMP. Rather it requires the facility to select and implement BMP's based on specific facility activities.

## What to Do if You Do Not Require the Permit

- It is a good idea to document why you believe you don't need a federal storm water permit and keep such documentation on file.
- Consider creating a SWPPP for your facility anyway. Even if you're not required to have one, it's a good idea to protect you, your employees, your customers and the environment.

## Monitoring and Reporting Requirements

The MSGP requires that facilities perform and document quarterly visual monitoring of their storm water discharges associated with industrial activity. The MSGP also requires that facilities collect and analyze samples of their storm water discharges on a quarterly basis for specific years for the pollutants listed in Table Q-1 (see 65 Fed. Reg. 64842):

Parameter	Benchmark Monitoring Cutoff Amount
Aluminum	.075 Mg/L
Iron	1.0 Mg/L
Lead	.0816 Mg/L
Zinc	.117 Mg/L

## Limits on Coverage

Direct discharges to waters of the United States from the following activities are not covered under the storm water MSGP and require a separate individual permit:

- pressure wash water
- bilge and ballast water
- sanitary waste
- cooling water originating from vessels

## Some Frequently Asked Questions

### 1) What types of activities are considered vessel maintenance and/or equipment cleaning operation within the regulation?

Activities such as fueling; engine maintenance/repairs; vessel maintenance/repair; pressure washing; painting; sanding; blasting; welding; metal fabrication; and storing liquid materials such as paints, solvents and resins.

### 2) Is the size of the marina or level of activity taking place at the marina relevant to determining if the regulation applies to a facility?

No.

### 3) Do storm water conveyances (point sources) outside of the maintenance and/or equipment cleaning operation areas count in the determination of applicability?

For a marina facility, the federal storm water MSGP applies only to point sources associated with maintenance and equipment cleaning operations. Areas located separately from maintenance, repair, and cleaning activities such as parking lots are not subject to permit requirements as long as the drainage from such areas is not mixed with stormwater drained from areas where maintenance, repairs, and cleaning and any other activity listed under Question 1 above take place (see 40 C.F.R. §122.26 (b) (14)).

## Attachment 1 Storm Water Pollution Prevention Plan (SWPPP) Sample Table of Contents

I. SWPPP Coordinator and Duties .....	
II. Facility Description .....	
Facility Location .....	
Site Activities .....	
Site Description .....	
Storm Water Drainage System .....	
III. Identification of Potential Storm Water Contaminants .....	
Significant Material Inventory .....	
Historic Spills and Leak Record .....	
Potential Areas for Storm Water Contamination ....	
A Summary of Available Storm Water Sampling Data	
IV. Storm Water Management Controls	
Compliance with Other Programs .....	
Storm Water Management Practices .....	
Storm Water Treatment .....	
V. Facility Monitoring Plan .....	
VI. Compliance and Reporting Requirements .....	
SWPPP and SWPPP Summary .....	
Employee Training .....	
Implementation Schedule .....	
Record Retention Requirements .....	
Principle Executive Officer Signature .....	
Provisions for Amendment of the Plan .....	
Corporate Certification .....	

## Appendix A: Inspection Logs SWPPP Potential List of Tables and Figures

### Tables:


- Characteristics of Storm Water Drainage
- Significant Materials Used at the Marina
- Locations of Potential Sources of Storm Water Contamination
- Implementation Schedule
- BMP Implementation Schedule

### Figures:

- Facility Location
- Site Map with Drainage Areas and Storm Water Flow (prior to BMP implementation)
- Site Map with Structural BMP's



## Addendum D—Notice of Intent Form

NPDES Form 3510-6		United States Environmental Protection Agency Washington, DC 20460 <b>Notice of Intent for Storm Water Discharges Associated with          INDUSTRIAL ACTIVITY Under the Multi-sector NPDES General Permit</b>	Form Approved OMB No. 2040-0086
Submission of this completed Notice of Intent (NOI) constitutes notice that the entity in Section B intends to be authorized to discharge pollutants to waters of the United States, from the facility or site identified in Section C, under EPA's Storm Water Multi-sector General Permit (MSGP). Submission of the NOI also constitutes notice that the party identified in Section B of this form has read, understands, and meets the eligibility conditions of Part I of the MSGP; agrees to comply with all applicable terms and conditions of the MSGP; understands that continued authorization under the MSGP is contingent on maintaining eligibility for coverage, and that implementation of the permittee's pollution prevention plan is required two days after a complete NOI is mailed. In order to be granted coverage, all information required on this form must be completed. Please read and make sure you comply with all permit requirements, including the requirement to prepare and implement a storm water pollution prevention plan.			
<b>A. Permit Selection</b> Permit number assigned to your facility under the previous permit: _____		<b>New Permit Number (EPA Use Only)</b> _____ R05 _____	
<b>B. Facility Operator Information</b> 1. Name: _____ 2. Phone: _____ 3. Mailing Address: a. Street or P.O. Box: _____ b. City: _____ c. State: _____ d. Zip Code: _____			
<b>C. Facility/Site Information</b> 1. Facility/Site Name: _____ 2. Location Address: a. Street: _____ b. City: _____ c. County: _____ d. State: _____ e. Zip Code: _____ 3. a. Latitude: _____° _____' _____" b. Longitude: _____° _____' _____" 4. a. Permit Applicant: <input type="checkbox"/> Federal <input type="checkbox"/> State <input type="checkbox"/> Tribal <input type="checkbox"/> Private <input type="checkbox"/> Other public entity b. Is the facility located on Indian Country Lands? <input type="checkbox"/> Yes <input type="checkbox"/> No 5. Does the facility discharge storm water into: a. Receiving water(s)? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, name(s) of receiving water(s): _____ b. A municipal separate storm sewer system (MS4)? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, name of the MS4 operator: _____ 6. The 4-digit Standard Industrial Classification (SIC) codes or the 2-letter Activity Codes that best represent the principal products produced or services rendered by your facility and major co-located activities: Primary: _____ Secondary (if applicable): _____ 7. Applicable sector(s) of industrial activity, as designated in Part 1.2.1 of the MSGP, that include associated discharges that you seek to have covered under this permit (choose up to three): <input type="checkbox"/> Sector A <input type="checkbox"/> Sector F <input type="checkbox"/> Sector K <input type="checkbox"/> Sector P <input type="checkbox"/> Sector U <input type="checkbox"/> Sector Z <input type="checkbox"/> Sector B <input type="checkbox"/> Sector G <input type="checkbox"/> Sector L <input type="checkbox"/> Sector Q <input type="checkbox"/> Sector V <input type="checkbox"/> Sector AA <input type="checkbox"/> Sector C <input type="checkbox"/> Sector H <input type="checkbox"/> Sector M <input type="checkbox"/> Sector R <input type="checkbox"/> Sector W <input type="checkbox"/> Sector AB <input type="checkbox"/> Sector D <input type="checkbox"/> Sector I <input type="checkbox"/> Sector N <input type="checkbox"/> Sector S <input type="checkbox"/> Sector X <input type="checkbox"/> Sector AC <input type="checkbox"/> Sector E <input type="checkbox"/> Sector J <input type="checkbox"/> Sector O <input type="checkbox"/> Sector T <input type="checkbox"/> Sector Y <input type="checkbox"/> Sector AD 8. Additional Facility/Site Requirements: a. Based on the instructions provided in Addendum A of the MSGP, have the eligibility criteria for "listed species" and critical habitat been met? <input type="checkbox"/> Yes <input type="checkbox"/> No b. Based on the instructions provided in Addendum B of the MSGP, have the eligibility criteria for protection of historic properties been met? <input type="checkbox"/> Yes <input type="checkbox"/> No			
<b>D. Certification</b> Do you certify under penalty of law that this document and all attachments were prepared under your direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted? Based on your inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, do you certify that the information submitted is, to the best of your knowledge and belief, true, accurate, and complete? Do you certify that you are aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations? Print Name: _____ Signature: _____ Date: _____			